

AMENDED IN SENATE JUNE 3, 2003
AMENDED IN SENATE APRIL 8, 2003
AMENDED IN SENATE MARCH 6, 2003

SENATE BILL

No. 60

Introduced by Senator Cedillo
(Principal coauthor: Senator Murray)
(Coauthors: Senators *Ducheny, Escutia, Kuehl, Romero, Soto,*
***and Vasconcellos*)**
(Coauthors: Assembly Members Calderon, *Chan*, Diaz, Firebaugh,
Hancock, Koretz, Lieber, Mullin, and Nunez)

January 15, 2003

An act to amend Sections 1653.5, 12800, 12801, ~~and 12801.5~~
~~12801.5, 12814.5, 14900, 14900.1, 14901, and 14902~~ of the Vehicle
Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 60, as amended, Cedillo. Vehicles: social security account number: driver's licenses: identification cards.

(1) Under existing law, every form prescribed by the Department of Motor Vehicles for use by an applicant for the issuance or renewal by the department of a driver's license or identification card is required to contain a section for the applicant's social security account number. Existing law requires an applicant who submits one of those forms to the department to furnish the appropriate number in the space provided. Existing law prohibits the department from completing an application that does not include the applicant's social security account number. Existing law prohibits the department from including an applicant's social security account number on a driver's license, identification card,

registration, certificate of title, or any other document issued by the department. Existing law declares that information obtained by the department regarding an applicant's social security account number is not a public record and prohibits the department from disclosing that information except in specified circumstances.

This bill would require those forms to contain a section for either the applicant's social security account number or federal taxpayer identification number. The bill would allow an applicant for a driver's license who does not possess a social security account number, but who submits a specified affidavit signed under penalty of perjury and a federal taxpayer identification number or other identifier that is deemed appropriate by the department, to submit those documents to the department in lieu of a social security account number. Because the bill would expand the scope of the crime of perjury, the bill would impose a state-mandated local program. ~~The~~

The bill would also prohibit the department from including an applicant's federal taxpayer identification number on a driver's license, identification card, registration, certificate of title, or any other document issued by the department. The bill would declare that information obtained by the department regarding an applicant's *federal* taxpayer identification number is not a public record and would prohibit the department from disclosing that information, except in specified circumstances.

(2) Existing law requires the department to require every applicant for an original driver's license or identification card to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law and prohibits the department from issuing a license or card to a person who does not do so. Existing law requires the department to adopt regulations, including procedures for verifying citizenship or legal residency of applicants for driver's licenses and identification cards.

This bill would repeal those requirements.

(3) *Existing law imposes fees upon the issuance, renewal, duplication, or replacement of a driver's license, identification card, or senior citizen identification card.*

This bill would increase the amount of these fees, except as to the fees charged for an original or replacement senior citizen identification card, which the bill would require to be issued free of charge.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.



Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1653.5 of the Vehicle Code is amended
2 to read:

3 1653.5. (a) Every form prescribed by the department for use
4 by an applicant for the issuance or renewal by the department of
5 a driver's license or identification card pursuant to Division 6
6 (commencing with Section 12500) shall contain a section for
7 either the applicant's social security account number or federal
8 taxpayer identification number.

9 (b) Every form prescribed by the department for use by an
10 applicant for the issuance, renewal, or transfer of the registration
11 or certificate of title to a vehicle shall contain a section for the
12 applicant's driver's license or identification card number.

13 (c) A person who submits to the department a form that,
14 pursuant to subdivision (a), contains a section for the applicant's
15 social security account number or federal taxpayer identification
16 number, or pursuant to subdivision (b), the applicant's driver's
17 license or identification card number, if any, shall furnish the
18 appropriate number in the space provided.

19 (d) The department may not complete an application that does
20 not include the applicant's social security account number, *except*
21 *as authorized under Section 12801*, or federal taxpayer
22 identification number, or driver's license or identification card
23 number as required by subdivision (c).

24 (e) An applicant's social security account number or federal
25 taxpayer identification number may not be included by the
26 department on a driver's license, identification card, registration,
27 certificate of title, or any other document issued by the department.

28 (f) Notwithstanding any other provision of law, information
29 regarding an applicant's social security account number or federal
30 taxpayer identification number, obtained by the department
31 pursuant to this section, is not a public record and may not be

1 disclosed by the department except for any of the following
2 purposes:

3 (1) Responding to a request for information from an agency
4 operating pursuant to, and carrying out the provisions of, Part A
5 (Aid to Families with Dependent Children), or Part D (Child
6 Support and Establishment of Paternity), of Subchapter IV of
7 Chapter 7 of Title 42 of the United States Code.

8 (2) Implementation of Section 12419.10 of the Government
9 Code.

10 (3) Responding to information requests from the Franchise Tax
11 Board for the purpose of tax administration.

12 SEC. 2. Section 12800 of the Vehicle Code is amended to
13 read:

14 12800. Every application for an original or a renewal of a
15 driver's license shall contain all of the following information:

16 (a) The applicant's true full name, age, sex, mailing address,
17 residence address, and social security account number, *except as*
18 *authorized under Section 12801*, or federal taxpayer identification
19 number.

20 (b) A brief description of the applicant for the purpose of
21 identification.

22 (c) A legible print of the thumb or finger of the applicant.

23 (d) The type of motor vehicle or combination of vehicles the
24 applicant desires to operate.

25 (e) Whether the applicant has ever previously been licensed as
26 a driver and, if so, when and in what state or country and whether
27 or not the license has been suspended or revoked and, if so, the date
28 of and reason for the suspension or revocation.

29 (f) Whether the applicant has ever previously been refused a
30 driver's license in this state and, if so, the date of and the reason
31 for the refusal.

32 (g) Whether the applicant, within the last three years, has
33 experienced, on one or more occasions, either a lapse of
34 consciousness or an episode of marked confusion caused by a
35 condition that may bring about recurrent lapses, or whether the
36 applicant has a disease, disorder, or disability that affects his or her
37 ability to exercise reasonable and ordinary control in operating a
38 motor vehicle upon a highway.

39 (h) Whether the applicant understands traffic signs and signals.



1 (i) Whether the applicant has ever previously been issued an
2 identification card by the department.

3 (j) Any other information necessary to enable the department
4 to determine whether the applicant is entitled to a license under this
5 code.

6 SEC. 3. Section 12801 of the Vehicle Code is amended to
7 read:

8 ~~12801. —(a) (1) Notwithstanding any other provision of law,~~

9 *12801. (a) (1) Except as authorized under paragraph (2),*
10 *the department shall require every application for a driver's license*
11 *to contain the applicant's social security account number or federal*
12 *taxpayer identification number, and any other number or identifier*
13 *determined to be appropriate by the department.*

14 (2) (A) If an applicant signs an affidavit under penalty of
15 perjury attesting that he or she does not possess a social security
16 account number and submits a federal taxpayer identification
17 number or other identifier that is deemed appropriate by the
18 department, the submission of those documents shall be
19 acceptable to the department in lieu of a social security account
20 number until the applicant obtains a social security account
21 number. Upon obtaining a social security account number, the
22 applicant shall provide the department that number under
23 paragraph (1).

24 (B) *The department shall obtain the consent of an applicant*
25 *who submits a federal taxpayer identification number under*
26 *subparagraph (A) in order for the department to verify the*
27 *applicant's full name, identification number, date of birth, and sex*
28 *with the federal Internal Revenue Service or the Franchise Tax*
29 *Board. Any information obtained by the department under this*
30 *paragraph shall be used solely for the purposes of verifying the*
31 *authenticity of an applicant's federal taxpayer identification*
32 *number in determining eligibility for a driver's license or*
33 *identification card.*

34 (3) *The department may not complete an application for a*
35 *driver's license that does not include either the applicant's social*
36 *security number or the affidavit and alternate taxpayer identifying*
37 *number authorized under subparagraph (A) of paragraph (2).*

38 (b) Notwithstanding any other law, the social security number
39 or federal taxpayer identification number collected on a driver's
40 license application may not be displayed on the driver's license,

1 including, but not limited to, inclusion on a magnetic tape or strip
2 used to store data on the license.

3 SEC. 4. Section 12801.5 of the Vehicle Code is amended to
4 read:

5 12801.5. (a) Notwithstanding Section 40300 or any other
6 provision of law, a peace officer may not detain or arrest a person
7 solely on the belief that the person is an unlicensed driver, unless
8 the officer has reasonable cause to believe the person driving is
9 under the age of 16 years.

10 (b) The inability to obtain a driver's license does not abrogate
11 or diminish in any respect the legal requirement of every driver in
12 this state to obey the motor vehicle laws of this state, including
13 laws with respect to licensing, motor vehicle registration, and
14 financial responsibility.

15 ~~SEC. 4.~~

16 SEC. 5. Section 12814.5 of the Vehicle Code is amended to
17 read:

18 12814.5. (a) The director may establish a program to
19 evaluate the traffic safety and other effects of renewing driver's
20 licenses by mail. Pursuant to that program, the department may
21 renew by mail driver's licenses for licensees not holding a
22 probationary license, and whose records, for the two years
23 immediately preceding the determination of eligibility for the
24 renewal, show no notification of a violation of subdivision (a) of
25 Section 40509, a total violation point count not greater than one as
26 determined in accordance with Section 12810, no suspension of
27 the driving privilege pursuant to Section 13353.2, and no refusal
28 to submit to or complete chemical testing pursuant to Section
29 13353 or 13353.1.

30 (b) The director may terminate the renewal by mail program
31 authorized by this section at any time the department determines
32 that the program has an adverse impact on traffic safety.

33 (c) No renewal by mail shall be granted to any person who is
34 70 years of age or older.

35 (d) ~~(1) The department shall charge a fee of twelve dollars~~
36 ~~(\$12) for each noncommercial license renewal and twenty-seven~~
37 ~~dollars (\$27) for each commercial license or noncommercial~~
38 ~~firefighter license renewal granted pursuant to subdivision (a)~~
39 ~~which expires on the fourth birthday following the date of the~~
40 ~~application.~~

(2) The department shall charge a fee of ~~fifteen~~ *twenty-four* dollars ~~(\$15)~~ (\$24) for each noncommercial license renewal and thirty-four dollars (\$34) for each commercial license or noncommercial firefighter license renewal granted pursuant to subdivision (a) which expires on the fifth birthday following the date of the application.

(e) The department shall notify each licensee granted a renewal by mail pursuant to this section of major changes to the Vehicle Code affecting traffic laws occurring during the prior five-year period.

(f) The department shall not renew a driver's license by mail if the license has been previously renewed by mail two consecutive times for five-year periods.

SEC. 6. Section 14900 of the Vehicle Code is amended to read:

14900. (a) Upon application for an original class C or M driver's license, there shall be paid to the department a fee of ~~twelve~~ *twenty-four* dollars ~~(\$12)~~ (\$24) for a license that will expire on the ~~fourth~~ *fifth* birthday of the applicant following the date of the application. The payment of the fee entitles the person paying the fee to apply for a driver's license and to take three examinations within a period of 12 months from the date of the application or during the period that an instruction permit is valid, as provided in Section 12509.

(b) In addition to the application fee specified in subdivision (a), a person who fails to successfully complete the driving skill test on the first attempt shall be required to pay an additional fee of five dollars (\$5) for each additional driving skill test administered under that application.

(c) The fee specified in subdivision (b) shall be collected in conjunction with any application submitted on or after July 1, 2003.

SEC. 7. Section 14900.1 of the Vehicle Code is amended to read:

14900.1. (a) Except as provided in Sections 15250.6 and 15255.1, upon application for the renewal of a driver's license or for a license to operate a different class of vehicle, there shall be paid to the department a fee of ~~fifteen~~ *twenty-four* dollars ~~(\$15)~~ (\$24) for a license that will expire on the fifth birthday of the applicant following the date of the application. The payment of the fee entitles the person paying the fee to apply for a driver's license

1 and to take three examinations within a period of 12 months from
2 the date of the application or during the period that an instruction
3 permit is valid, as provided in Section 12509.

4 (b) In addition to the application fee specified in subdivision
5 (a), a person who fails to successfully complete the driving skill
6 test on the first attempt shall be required to pay an additional fee
7 of five dollars (\$5) for each additional driving skill test
8 administered under that application.

9 (c) The fee specified in subdivision (b) shall be collected in
10 conjunction with any application submitted on or after July 1,
11 2003.

12 *SEC. 8. Section 14901 of the Vehicle Code is amended to read:*

13 14901. Upon an application for a duplicate driver's license or
14 for a change of name on a driver's license, there shall be paid the
15 department a fee of ~~twelve~~ *nineteen* dollars ~~(\$12)~~ (\$19).

16 *SEC. 9. Section 14902 of the Vehicle Code is amended to read:*

17 14902. (a) Except as otherwise provided in subdivision (b) of
18 this section, subdivision (c) of Section 13002, and subdivision (c)
19 of Section 14900, upon an application for an identification card
20 there shall be paid to the department a fee of ~~six~~ *twenty* dollars ~~(\$6)~~
21 (\$20).

22 (b) ~~Upon application for an~~ *An original or replacement senior*
23 ~~citizen identification card, or for the renewal thereof,~~ issued
24 pursuant to subdivision (b) of Section 13000, ~~there shall be paid~~
25 ~~to the department a fee of three dollars (\$3)~~ *issued free of charge.*

26 (c) All fees received pursuant to this section shall be deposited
27 in the Motor Vehicle Account.

28 *SEC. 10. No reimbursement is required by this act pursuant*
29 *to Section 6 of Article XIII B of the California Constitution*
30 *because the only costs that may be incurred by a local agency or*
31 *school district will be incurred because this act creates a new crime*
32 *or infraction, eliminates a crime or infraction, or changes the*
33 *penalty for a crime or infraction, within the meaning of Section*
34 *17556 of the Government Code, or changes the definition of a*
35 *crime within the meaning of Section 6 of Article XIII B of the*
36 *California Constitution.*